

7.6.1 ~~Reportable and Non-Reportable Interim~~MOA Projects

The Parties acknowledge and agree that ~~certain interim projects and activities~~MOA Projects will not require separate or additional review pursuant to the interim project process set forth in this section. ~~Specifically, the Parties have previously reviewed the MOA Projects and have determined that the MOA Projects are not inconsistent with the BDCP preliminary conservation objectives and will not compromise the successful completion and implementation of the BDCP.~~ 7.6. The Parties recognize that the MOA Projects will be required to comply with all applicable State and federal wildlife protection laws and environmental review processes. Other projects or activities within the Planning Area that are proposed by the Potential Regulated Entities that require discretionary approvals and that have the potential to conflict with the preliminary conservation objectives, will be ~~considered Reportable Interim Projects and~~ subject to the interim project process. The Parties agree that the development of the BDCP shall not delay the implementation of any of the MOA Projects or other interim projects.

7.6.1 ~~7.6.2~~ Notification Process

The Party proposing to undertake or approve ~~a Reportable Interim Project~~an interim project will notify the Fishery Agencies of the project prior to the time, or as soon as possible after, the project application is deemed complete. The Party will notify the particular individuals designated by the Fishery Agencies to be notified of ~~Reportable Interim Projects~~interim project, and will provide these designated individuals with (1) a depiction of the project location on a USGS 7.5 minute quadrangle map with the quadrangle name and section, township, and range identified; (2) copy of the project application, including a description of the project along with the land cover types present on the project site using the most current land cover data available to the Party; and (3) any other biological information available to the Party about the project area.

7.6.2~~7.6.3~~ Fishery Agency Review

Information concerning ~~Reportable Interim Projects~~interim projects will be presented to the Fishery Agencies in a complete and timely manner, and the Fishery Agencies will use reasonable efforts to review and provide any comments on the projects to the referring Party within the legally prescribed comment periods. The Fishery Agencies will recommend mitigation measures or project alternatives that would help achieve the preliminary conservation objectives and will not preclude important conservation planning options or connectivity between areas of high habitat values. Any take of listed or candidate species arising out of ~~a Reportable Interim Project~~an interim project will be authorized in accordance with applicable federal and/or state law. In providing any such authorizations, the Fishery Agencies shall not impose mitigation measures or project alternatives that

result in regulatory obligations that exceed the requirements of applicable State and federal wildlife protection laws.

7.6.37.6.4 Coordinating Interim Process with BDCP Preparation

The Parties will meet as needed to discuss ~~Reportable Interim Projects~~interim projects and to coordinate with development of the BDCP. Independent scientific input will be considered by the Parties during interim project review.

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